

*Amendments to the Claims*

The listing of claims will replace all prior versions, and listing of claims in the application.

1-37. (Canceled)

38. (Currently Amended) A method ~~to treat or prevent for treating or reducing the risk of~~ allergic disease or non-allergic inflammatory disease in a mammal, comprising administering an extract of hardy kiwifruit to the mammal in an amount sufficient to treat or prevent reduce the risk of at least one symptom of allergic disease or non-allergic inflammatory disease in the mammal, wherein said hardy kiwifruit is selected from the group consisting of: *Actinidia arguta*, *Actinidia kolomikta* and *Actinidia polygama*.

39. (Canceled)

40. (Previously Presented) The method, as claimed in claim 38, wherein the extract is prepared from a part of the hardy kiwifruit selected from the group consisting of: the fruit, the stem, the root, and any combination thereof.

41. (Previously Presented) The method, as claimed in claim 38, wherein the extract is selected from the group consisting of a crude extract and a non-polar solvent soluble extract.

42. (Previously Presented) The method, as claimed in claim 41, wherein the crude extract is soluble in a polar solvent selected from the group consisting of: distilled water, lower alcohols, and mixtures thereof.

43. (Previously Presented) The method, as claimed in claim 41, wherein the crude extract is soluble in distilled water or 70% ethanol.

44. (Previously Presented) The method, as claimed in claim 41, wherein the non-polar solvent is ethyl acetate.

45. (Previously Presented) The method, as claimed in claim 38, wherein the extract is provided in a composition in an amount of between about 0.01% and about 30% by weight based on the total weight of the composition.

46. (Previously Presented) The method, as claimed in claim 38, wherein the extract is provided in a composition in an amount of between 0.01% and about 50% by weight based on the total weight of the composition.

47. (Previously Presented) The method, as claimed in claim 38, wherein the extract is provided in a composition in an amount of between about 0.01% and about 80% by weight based on the total weight of the composition.

48. (Previously Presented) The method, as claimed in claim 38, wherein the extract is provided in a composition in an amount sufficient to reduce the serum IgE level in the mammal as compared to prior to administration of the extract.

49. (Previously Presented) The method, as claimed in claim 38, wherein the extract is provided in a composition in an amount sufficient to reduce the production of Th2 cytokines by cells in the mammal as compared to prior to administration of the extract.

50. (Previously Presented) The method, as claimed in claim 49, wherein the Th2 cytokines are selected from the group consisting of: interleukin-4 (IL-4), IL-5 and IL-13.

51. (Previously Presented) The method, as claimed in claim 38, wherein the extract is prepared by a process comprising the steps of:

- a) diluting crushed and dried hardy kiwifruit in water or a lower alcohol;
- b) heating the diluted hardy kiwifruit;
- c) extracting the hardy kiwifruit extract after step b).

52. (Currently Amended) The method, as claimed in claim 51, wherein the step of diluting comprises diluting the crushed and dried hardy kiwifruit ~~5X-25X~~ in a volume of water in a ratio from about 1:5 to about 1:25.

53. (Currently Amended) The method, as claimed in claim 51, wherein the step of diluting comprises diluting the crushed and dried hardy kiwifruit ~~in 5X-25X~~ in a volume of lower alcohol in a ratio from about 1:5 to about 1:25.

54. (Previously Presented) The method, as claimed in claim 53, wherein the lower alcohol is selected from the group consisting of: methanol, ethanol and butanol.

55. (Previously Presented) The method, as claimed in claim 51, wherein the step of heating is conducted at between about 20°C and about 100°C for between about 1 and about 24 hours.

56. (Previously Presented) The method, as claimed in claim 51, wherein the process further comprises a step of filtering the extract.

57. (Previously Presented) The method, as claimed in claim 56, further comprising concentrating and drying the filtered extract.

58. (Previously Presented) The method, as claimed in claim 57, further comprising extracting the extract in a non-polar solvent.

59. (Previously Presented) The method, as claimed in claim 58, further comprising fractionation of the extract.

60. (Currently Amended) The method, as claimed in claim 38, wherein the extract is administered to treat or ~~prevent~~ reduce the risk of allergic disease in the mammal.

61. (Previously Presented) The method, as claimed in claim 60, wherein the allergic disease is selected from the group consisting of: anaphylaxis, allergic rhinitis, asthma, allergic conjunctivitis, allergic dermatitis, atopic dermatitis, contagious dermatitis, urticaria, insect allergy, food allergy and drug allergy.

62. (Previously Presented) The method, as claimed in claim 38, wherein the step of administering comprises administering the extract with a conventional carrier, adjuvant, or diluent to the mammal.

63. (Previously Presented) The method, as claimed in claim 38, wherein the step of administering comprises providing the extract to the mammal as a tablet, powder, capsule, liquid, suspension, granule or syrup.

64. (Previously Presented) The method, as claimed in claim 38, wherein the step of administering comprises providing the extract to the mammal in a health food.

65. (Previously Presented) The method, as claimed in claim 38, wherein the step of administering comprises applying a cosmetic composition comprising the extract of hardy kiwifruit to the mammal.

66. (Previously Presented) The method, as claimed in claim 65, wherein the cosmetic composition is provided in a form selected from the group consisting of: lotion, cream, essence, toner, emulsion, pack, soap, shampoo, rinse, cleanser, body washing solution, washing solution or treatment.

67. (Currently Amended) The method, as claimed in claim 65, wherein the extract is administered to treat or prevent reduce the risk of at least one symptom of skin disease in the mammal.

68. (Currently Amended) The method, as claimed in claim 65, wherein the extract is administered to treat or prevent reduce the risk of at least one symptom of allergic skin disease in the mammal.

69. (Previously Presented) The method, as claimed in claim 38, wherein the step of administering comprises providing the extract to the mammal in a food additive.

70. (Previously Presented) The method, as claimed in claim 69, wherein the food additive additionally comprises a compound selected from the group consisting of: lactose casein, dextrin, glucose, sucrose and sorbitol.

71. (Previously Presented) The method, as claimed in claim 69, wherein the food additive is provided to the mammal as a spice, seasoning or food material.

72. (Previously Presented) The method, as claimed in claim 69, wherein the food additive is added to a food selected from the group consisting of: fruits, vegetables, dehydrated foods, fruit juice, vegetable juice, drinks, confectionaries, breads, ice creams, teas, fermented milk, dairy products, spices, alcoholic beverages, noodles, processed livestock products, processed marine products, fermented food, beans, cereals, processed meats, licorices and hubs.

73-109.(Canceled)

110. (New) The method, as claimed in claim 38, wherein the hardy kiwifruit is *Actinidia arguta*.

111. (New) The method, as claimed in claim 38, wherein the hardy kiwifruit is *Actinidia kolomikta*.

112. (New) The method, as claimed in claim 38, wherein the hardy kiwifruit is *Actinidia polygama*.

113. (New) A method for treating or reducing the risk of allergic disease or non-allergic inflammatory disease in a mammal, comprising administering an extract of hardy kiwifruit to the mammal in an amount sufficient to treat or reduce the risk of at least one symptom of allergic disease or non-allergic inflammatory disease in the

mammal, wherein said allergic disease is selected from the group consisting of: anaphylaxis, allergic rhinitis, asthma, allergic conjunctivitis, urticaria, insect allergy, food allergy and drug allergy and wherein said non-allergic inflammatory disease is selected from the group consisting of: systemic lupus erythematosus, retinal inflammation, gastritis, retinopathy, hepatitis, enteritis, pancreatitis and nephritis.

114. (New) The method, as claimed in claim 113, wherein the hardy kiwifruit is selected from the group consisting of: *Actinidia arguta*, *Actinidia kolomikta*, and *Actinidia polygama*.

115. (New) The method, as claimed in claim 113, wherein the extract is prepared from a part of the hardy kiwifruit selected from the group consisting of: the fruit, the stem, the root, and any combination thereof.

116. (New) The method, as claimed in claim 113, wherein the extract is selected from the group consisting of a crude extract and a non-polar solvent soluble extract.

117. (New) The method, as claimed in claim 116, wherein the crude extract is soluble in polar solvent selected from the group consisting of: distilled water, lower alcohols, and mixtures thereof.

118. (New) The method, as claimed in claim 116, wherein the crude extract is soluble in distilled water or 70% ethanol.

119. (New) The method, as claimed in claim 116, wherein the non-polar solvent is ethyl acetate.

120. (New) The method, as claimed in claim 113, wherein the extract is provided in a composition in an amount of between about 0.01% and about 30% by weight based on the total weight of the composition.

121. (New) The method, as claimed in claim 113, wherein the extract is provided in a composition in an amount of between 0.01% and about 50% by weight based on the total weight of the composition.

122. (New) The method, as claimed in claim 113, wherein the extract is provided in a composition in an amount of between about 0.01% and about 80% by weight based on the total weight of the composition.

123. (New) The method, as claimed in claim 113, wherein the extract is provided in a composition in an amount sufficient to reduce the serum IgE level in the mammal as compared to prior to administration of the extract.

124. (New) The method, as claimed in claim 113, wherein the extract is provided in a composition in an amount sufficient to reduce the production of Th2 cytokines by cells in the mammal as compared to prior to administration of the extract.

125. (New) The method, as claimed in claim 124, wherein the Th2 cytokines are selected from the group consisting of: interleukin-4 (IL-4), IL-5 and IL-13.

126. (New) The method, as claimed in claim 113, wherein the extract is prepared by a process comprising the steps of:

- a) diluting crushed and dried hardy kiwifruit in water or a lower alcohol;
- b) heating the diluted hardy kiwifruit;
- c) extracting the hardy kiwifruit extract after step b).

127. (New) The method, as claimed in claim 126, wherein the step of diluting comprises diluting the crushed and dried hardy kiwifruit in a volume of water in a ratio from about 1:5 to about 1:25.

128. (New) The method, as claimed in claim 126, wherein the step of diluting comprises diluting the crushed and dried hardy kiwifruit in a volume of lower alcohol in a ratio from about 1:5 to about 1:25.

129. (New) The method, as claimed in claim 128, wherein the lower alcohol is selected from the group consisting of: methanol, ethanol and butanol.

130. (New) The method, as claimed in claim 126, wherein the step of heating is conducted at between about 20°C and about 100°C for between about 1 and about 24 hours.

131. (New) The method, as claimed in claim 126, wherein the process further comprises a step of filtering the extract.

132. (New) The method, as claimed in claim 131, further comprising concentrating and drying the filtered extract.

133. (New) The method, as claimed in claim 132, further comprising extracting the extract in a non-polar solvent.

134. (New) The method, as claimed in claim 133, further comprising fractionation of the extract.

135. (New) The method, as claimed in claim 113, wherein the extract is administered to treat or reduce the risk of allergic disease in the mammal and wherein the allergic disease is selected from the group consisting of: anaphylaxis, allergic rhinitis, asthma, allergic conjunctivitis, urticaria, insect allergy, food allergy and drug allergy.

136. (New) The method, as claimed in claim 113, wherein the extract is administered to treat or reduce the risk of non-allergic inflammatory disease in the mammal and wherein the non-allergic inflammatory disease is selected from the group consisting of: systemic lupus erythematosus, retinal inflammation, gastritis, retinopathy, hepatitis, enteritis, pancreatitis and nephritis.

137. (New) The method, as claimed in claim 113, wherein the step of administering comprises administering the extract with a conventional carrier, adjuvant, or diluent to the mammal.

138. (New) The method, as claimed in claim 113, wherein the step of administering comprises providing the extract to the mammal as a tablet, powder, capsule, liquid, suspension, granule or syrup.

139. (New) The method, as claimed in claim 113, wherein the step of administering comprises providing the extract to the mammal in a health food.

140. (New) The method, as claimed in claim 113, wherein the step of administering comprises applying a cosmetic composition comprising the extract of hardy kiwifruit to the mammal.

141. (New) The method, as claimed in claim 140, wherein the cosmetic composition is provided in a form selected from the group consisting of: lotion, cream,

essence, toner, emulsion, pack, soap, shampoo, rinse, cleanser, body washing solution, washing solution or treatment.

142. (New) The method, as claimed in claim 113, wherein the step of administering comprises providing the extract to the mammal in a food additive.

143. (New) The method, as claimed in claim 142, wherein the food additive additionally comprises a compound selected from the group consisting of: lactose casein, dextrin, glucose, sucrose and sorbitol.

144. (New) The method, as claimed in claim 142, wherein the food additive is provided to the mammal as a spice, seasoning or food material.

145. (New) The method, as claimed in claim 142, wherein the food additive is added to a food selected from the group consisting of: fruits, vegetables, dehydrated foods, fruit juice, vegetable juice, drinks, confectionaries, breads, ice creams, teas, fermented milk, dairy products, spices, alcoholic beverages, noodles, processed livestock products, processed marine products, fermented food, beans, cereals, processed meats, licorices and hubs.